



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

PUBLISHED BY AUTHORITY

W.No.21

AMARAVATI, SATURDAY, MAY 25, 2024

G.165

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

ADDITIONAL CIVIL JUDGE'S COURT (SENIOR DIVISION) TENALI.

Thursday, this the 4th day of April, 2024

Insolvency Petition No.81 of 2022

Between:

Undavalli Sambaiah S/o.China Nagaiah, aged about 59 years, Hindu, Relatives Protection and residing at Penumuli, Duggirala Mandal, Tenali JCJC.

...Petitioner

And

1. Vullamgula Nagaiah S/o. Venkateswarlu, aged about 52 years, Hindu, Business, residing at Sangadigunta, Redla Bazaar, Guntur, Guntur JCJC.

2. Rachakonda Edukondalu S/o. Veeraiah, aged about 55 years, Hindu, Cultivation and residing at H.No.32-115, Vinayaka Nagar, Kondapalli, Krishna District.

3. Pagadala Venkaiah, S/o.Sanjeevaiah, aged about 57 years, Hindu, Agriculturist and R/o.H.No.32-30/1, Saichandra Nagar, Kondapalli, Krishna District.

4. Munnangi Srinivasarao S/o.Peda Sainbaiah, aged about 56 years, Hindu, Business, R/o.H.No.8-46/A, Moparru, Amarthalur Mandal, Bapatla District.

...Respondents

This Insolvency Petition is coming on 28.03.2024 before me for hearing in the presence of Sri G.Rambabu Garu, Advocate for Petitioner and Respondents 1 to 4 remained set ex parte, and upon hearing and considering the material on record, having stood over for consideration till this day, this Court made the following:

:: O R D E R ::

1. Petitioner filed this insolvency petition under Section 10 of Provincial Insolvency Act, 1920 to declare the petitioner as an insolvent ; to administer the estate of petitioner under the provisions of P.I.Act ; to grant interim protection to the petitioner from being arrested in any proceedings and for such other reliefs.

2. The brief averments of the petition is as follows:

That the petitioner by name Undavalli Sambaiah states in the petition that he did cultivation by taking the lands on lease, since two years the petitioner incurred heavy loss due to in experiece, lack of labour, health issues, he borrowed the amounts from R1 to R4 by executing pronotes. R1 to R4 are putting pressure upon him to discharge the debt. Right now he has no means to discharge the debts. Therefore, the petition be allowed.

3. Notices were served upon respondents 1 to 4, but R1 to R4 did not make appearance and consequently, they were set ex parte.

4. The petitioner in order to buttress his contention, got himself examined as PW1 and got marked Ex.P1 on his behalf.

5. Heard petitioner's counsel. Perused the material available on record.

6. Now the point for determination is:

Whether the petitioner can be adjudicated and to declare as an insolvent as prayed for?

POINT:

7. PW1 deposed in his evidence that he borrowed the amounts from R1 to R4. He further stated that he sustained loss while carrying on cultivation and due to which, he could not pay the amounts to R1 to R4 and right now, he is badly tied up with the finance and R1 to R4 are pressurizing him to pay the amount. It is well established proposition of law the oral evidence has probative value. The verbal testimony of PW1 coupled with other circumstantial evidence amply prove that PW1 very weak on financial front.

8. In the wake of aforementioned reason, I am of the unhesitant opinion, PW1 is not in a position to discharge the debts of R1 to R4. In such circumstances, this Court has no other option, except declaring the petitioner as insolvent.

9. In the result, the petition is allowed without costs, petitioner is declared as an insolvent. The time for discharge is six months. There are no movable or immovable properties in the name of the petitioner. Therefore, there is no need to appoint an official receiver. Office is directed to communicate a copy of this order to the District Collector, Guntur for publication in Official Gazette as per Section 30 of Provincial Insolvency Act, 1920.

(Typed to my dictation by the Personal Assistant, corrected and pronounced by me in open Court, this the 4th day of April, 2024.)

SHAIK ABDUL SHARIFF,
Additional Civil Judge (Senior Division),
Tenali.
[Dis.No.408.

*Appendix of Evidence
Witnesses Examined*

For Petitioner:

P.W.1- Undavalli Sambaiah

Exhibits Marked

For Petitioner:

Ex.P1 is order passed by the learned Principal Junior Civil Judge, Tenali in E.P.No.1/2022 in O.S.133/2019.

For Respondents:

- Ex parte -

For Respondents:

Nil

*Sd/-*Additional Civil Judge (Senior Division),
Tenali.

In the Court of the Hon'ble Addl. Senior Civil Judge,

TENALI

I.P. No. 81 /2022

Undavalli Sambiah .. Petitioner

Vs.

Vullangula Nagaiah and others .. Respondents

'A' Schedule 'Liabilities' filed for Petitioner/Debtor.

Sl. No.	Name of the respondent/creditor	Nature of Debt	Amount Rs. Ps.
1.	Vullangula Nagaiah	E.P. 1/2022 in O.S. 133/2019 Prl, Jr, Civil Judge, Tenali	3,32,548-00
2.	Rachakonda Edukondalu	Pronote	50,000-00
3.	Pagadala Venkaiah	Pronote	60,000-00
4.	Munnangi Srinivasa Rao	Pronote	50,000-00
Total		Rs. 4,92,548-00	


Advocate for Petitioner.

Petitioner

I do hereby declare that the facts stated are
true to the best of my knowledge, information and
belief.

Tenali,
D/25/2022.

Petitioner.

Attached to decree


Sd/-
ACJ

In the Court of the Hon'ble Addl. Senior Civil Judge,

TENALI

I.P. NO. 81 of 2022

Undavalli Sambaih

Petitioner

vs.

Vallamgula Nagalah

Respondent

*B. Schedule filed on behalf of Petitioner.

Immovable property:-

N I L


Advocate for Petitioner.

Petitioner

I do hereby declare that the facts stated are true to the best of my knowledge, information and belief.

Tenali,
D/J29/2022

Petitioner,

Attached to decree



In the Court of the Hon'ble Addl. Senior Civil Judge,

TENALI

I.P.No. 81 of 2022

Undavalli Sambalaih .. Petitioner/Debtor

vs.

Vullamgula Nagaiah and others .. Respondents/Creditors

'C' schedule filed on behalf of Petitioner/Debtor.

Movables:-

1. Lungies - 2 Nos. .. Rs. 150-00

2. Banians - 2 Nos. .. 60-00

3. Shirts - 2 Nos. .. 190-00

4. Mat with bed-sheet .. 150-00

5. Steel plate with glass .. 50-00

Total .. Rs. 600-00

Advocate for Petitioner.

Petitioner

I do hereby declare that the facts stated are true to the best of my knowledge, information and belief.

Tenali,

D/ -2022,

Petitioner.

Attached to decree

ASCJ

In the Court of the Hon'ble Addl. Senior Civil Judge,

T E N A L I

I.P.No. 8) of 2022

Undavalli Sambaiah

.. Petitioner

Vs.

Vullamgula Nagaiah and others

.. Respondents

"D" schedule filed on behalf of Petitioner/Debtor

Outstanding:-

N I L

Advocate for Petitioner.

Petitioner

I do hereby declare that the facts stated are true to the best of my knowledge, information, and belief.

Tenali,

D/29 -2022

Petitioner.

Attached to decree

AS C.J.

In the Court of the Hon'ble Addl. Senior Civil Judge,

T E N A L I

I.P.No. 81 of 2022

Undavalli Sambalaih .. Petitioner

Vs.

Villamgula Nagaiah and others .. Respondents

E schedule (Abstract) filed for Petitioner/Debtor

A schedule - Liabilities .. Rs. 4,92,548-00

B Schedule - Immoveable property NIL

C Schedule - Movables Rs.600-00

D Schedule - Outstanding

Rs. 600-00

Rs. 4,92,548-00

600-00

Deficiency .. Rs. 4,91,948-00

Advocate for Petitioner.

Petitioner

I do hereby declare that the facts stated above are true to the best of my knowledge, information and belief.

Tenali,

DA/29 - 2022.

Petitioner.

Attached to decree

10/16
ASC/

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